



THIS ORDER IS SIGNED AND ENTERED.

Dated: March 22, 2024

Rachel Blise

**Hon. Rachel M. Blise
United States Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

In re:

Case No. 22-11558-rmb

Jennifer McKinney and
Israel R. McKinney,

Chapter 13

Debtors.

ORDER SETTING HEARING ON PLAN CONFIRMATION

The debtors filed an amended chapter 13 plan on January 12, 2024. On January 30, 2024, the Internal Revenue Service, which has a security interest in the debtors' real and personal property, filed an objection to confirmation of the plan. ECF No. 164. On February 22, the debtors filed a further amended plan, which the trustee has recommended for confirmation.

The amended plan clarifies the treatment of the IRS's claim. However, pursuant to 11 U.S.C. § 1323(c), the IRS is deemed to have rejected the amended plan because it is a secured creditor and has not withdrawn its objection. Therefore, the Court is unable to confirm the amended plan under § 1325(a)(5).

Accordingly, IT IS HEREBY ORDERED that a hearing on plan confirmation will be held telephonically before Rachel M. Blise, United States Bankruptcy Judge, on **April 18, 2024, at 1:00 p.m.** To appear by telephone, you must call the Court conference line at (888) 808-6929 and enter access code 4896101 before the scheduled hearing time. The Court may cancel the hearing if the IRS withdraws its objection to confirmation.

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